

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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| SECURITIES AND EXCHANGE COMMISSION, |) | |
| |) | |
| Plaintiff, |) | |
| |) | 2:09-cv-02213-JCM -VCF |
| v. |) | |
| |) | MINUTE ORDER |
| R. BROOKE DUNN, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |
| |) | Dated: <u>May 25, 2012</u> |

PRESENT: THE HONORABLE CAM FERENBACH, United States Magistrate JudgeJUDICIAL ASSISTANT: Mai Tieu RECORDER: NoneCOUNSEL FOR PLAINTIFF(S): None AppearingCOUNSEL FOR DEFENDANT(S): None Appearing

Before the court is plaintiff Securities and Exchange Commission's (hereinafter "SEC") Motion For Extension of Time to File Final Settlement Papers and Motion for Officer and Director Bar (Second Request). (#85). Defendant R. Brooke Dunn filed an Opposition. (#86). The court scheduled a hearing for June 1, 2012. (#87).

On March 5, 2012, the court held a settlement conference held with plaintiff SEC and defendants Dunn and Nicholas P Howey. (#81). The court met and conferred with counsel and the parties, and a settlement agreement was reached. *Id.* On March 6, 2012, the court signed the parties' stipulation and order vacating trial date, thereby vacating the trial and ordering SEC to file the final settlement papers and a motion for officer and director bar with the court on or before April 23, 2012. (#82). On April 17, 2012, the parties filed a stipulation for extension of time to file the settlement papers and the motion for officer and director bar, extending the deadline to file until May 14, 2012. (#83). The court signed the stipulation on April 19, 2012. (#84).

On May 11, 2012, plaintiff SEC filed a motion for extension of time to file final settlement papers and the motion for an officer and director bar, asking this court to extend the time in which to file until May 25, 2012. (#85). Defendant Howey did not oppose the extension. *Id.* On May 12, 2012, defendant Dunn filed an opposition, asserting that "if the Court is inclined to grant the SEC's request for an extension, Dunn requests that no further extensions be granted to the SEC unless any motion is joined by all parties or there are truly extenuating circumstances." (#86). On May 21, 2012, the court scheduled a hearing on the motion for extension of time (#85) for June 1, 2012. (#87).

On May 24, 2012, plaintiff SEC filed two unopposed motions for judgment against the defendants (#88 and #89), and attached proposed final judgments (#88-1 and #89-1) and defendants' consents to judgment (#88-2 and #89-2) thereto. On the same day, plaintiff SEC also filed a motion for entry of officer and director bar against defendant Dunn and a memorandum of points and authorities. (#90 and #91).

IT IS ORDERED that the SEC's Motion For Extension of Time to File Final Settlement Papers and Motion for Officer and Director Bar (Second Request) (#85) is GRANTED. The court will not grant any further extensions of time unless any motion is joined by all parties or there are truly extenuating circumstances.

IT IS THEREFORE FURTHER ORDERED that the hearing scheduled for June 1, 2012, is hereby VACATED.



CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE